

OPINION 1057

DONAX VARIABILIS SCHUMACHER, 1817 (MOLLUSCA: BIVALVIA)
SUPPRESSED UNDER THE PLENARY POWERS; TYPE-SPECIES
DESIGNATED FOR *LATONA* SCHUMACHER, 1817.

RULING: - (1) Under the plenary powers

(a) the specific name *variabilis*, Schumacher, 1817, as published in the binomen *Donax variabilis*, is hereby suppressed for the purposes of both the Law of Priority and the Law of Homonymy;

(b) all designations of type-species hitherto made for the nominal genus *Latona* Schumacher, 1817, are hereby set aside, and the nominal species *Donax cuneatus* Linnaeus, 1758 is hereby designated to be the type-species of that genus.

(2) The generic name *Latona* Schumacher, 1817 (gender: feminine), type-species, by designation under the plenary powers in (1) (b) above, *Donax cuneatus* Linnaeus, 1758, is hereby placed on the Official List of Generic Names in Zoology with the Name Number 2027.

(3) The following specific names are hereby placed on the Official List of Specific Names in Zoology with the Name Numbers specified:

(a) *cuneatus* Linnaeus, 1758, as published in the binomen *Donax cuneatus* (specific name of type-species, by designation under the plenary powers in (1) (b) above, of *Latona* Schumacher, 1817) (Name Number 2573);

(b) *variabilis* Say, 1822, as published in the binomen *Donax variabilis* (Name Number 2574).

(4) The specific name *variabilis* Schumacher, 1817, as published in the binomen *Donax variabilis* and as suppressed under the plenary powers in (1) (a) above, is hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology with the Name Number 1010.

HISTORY OF THE CASE Z.N. (S.) 1923

An application for the validation of *Donax variabilis* Say, 1822 was received from Dr. Kenneth J. Boss (*Museum of Comparative Zoology, Cambridge, Mass., U.S.A.*) on 6 March 1970. It was sent to the printer on 10 March 1970 and published on 23 December 1970 in *Bull. zool. Nomencl.*, vol.27: 205-6. Public notice of the possible use of the plenary powers in the present case was given in the same part of the Bulletin as well as to the prescribed serials (Constitution Art. 12b; *Bull. zool. Nomencl.*, vol.31: 97) and to four malacological serials. No comment was received.

DECISION OF THE COMMISSION

On 4th January 1973 the members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (72) 21 for or against the proposals published in *Bull. zool. Nomencl.*, vol.27: 205. At the close of the Voting Period on 4 April 1973 the state of the voting was as follows:

Affirmative votes - twenty-two (22) received in the following order:

Melville, Holthuis, Munroe, Lemche, Mayr, Sabrosky, Eisenmann, Vokes, Habe, Rohdendorf, Starobogatov, Binder, Tortonese, Bayer, Brinck, Bernardi, Simpson, Ride, Corliss, Alvarado, Nye, Willink

Negative vote - one (1): Dupuis

Late affirmative votes - two (2): Heppell, Kraus

Voting Paper not returned - one (1): Erben

Two members of the Commission (Professor Vokes and Dr. Ride) sent in comments with their Voting Papers. These were published on 28 June 1974 in *Bull. zool. Nomencl.*, vol.30: 137 in a note in which the Secretary pointed out that the vote on Voting Paper (72) 21 had left the nominal genus *Latona* Schumacher, 1817, without a type-species. The valid name for that species (*variabilis* Schumacher) was fortunately not in doubt, for it had always been known under the older name of *cuneatus* Linnaeus, 1758; but the use of the plenary powers would be necessary to make that nominal species the type-species of *Latona*. Public Notice of the possible use of the plenary powers to this further extent was given in the same part of the *Bulletin* as well as to the other prescribed serials (Constitution Art. 12b; *Bull. zool. Nomencl.*, vol.31: 97) and to four malacological serials. No comment was received.

On 16 June 1975 the members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (75) 3 for or against the proposals published in *Bull. zool. Nomencl.*, vol.30: 137. At the close of the Voting Period on 16 September 1975, the state of the voting was as follows:

Affirmative votes - twenty-one (21) received in the following order:

Eisenmann, Melville, Lemche, Willink, Dupuis, Holthuis, Mayr, Vokes, Starobogatov, Tortonese, Sabrosky, Mroczkowski, Binder, Rohdendorf, Corliss, Alvarado, Habe, Ride, Bernardi, Bayer, Nye

Negative votes - none (0)

Late affirmative vote - one (1): Kraus

Leave of absence - two (2): Brinck, Erben

Voting Papers not returned - two (2): Simpson, Heppell.

ORIGINAL REFERENCES

The following are the original references for the names placed on Official Lists and an Official Index by the ruling in the present Opinion:

cuneatus, *Donax*, Linnaeus, 1758, *Syst. Nat.* ed. 10 (vol.1): 683

Latona Schumacher, 1817, *Essai d'un nouveau système des vers testacés* (Copenhagen): 156

variabilis, *Donax*, Schumacher, 1817, *Essai d'un nouveau système des vers testacés* (Copenhagen): 156

variabilis, *Donax*, Say, 1822, *Jour. Acad. nat. Sci. Philadelphia*, vol.2: 305.

CERTIFICATE

I certify that the votes cast on Voting Papers (72) 21 and (75) 3 were cast as set out above, that the proposals contained in those Voting Papers have been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission on Zoological Nomenclature, is truly recorded in the present Opinion No. 1057.

R. V. MELVILLE
Secretary

International Commission on Zoological Nomenclature

London

30 October 1975